

**AGENDA - COUNCIL MEETING - WEDNESDAY - NOVEMBER 9, 2005 - 9:00 A. M.**  
**COUNCIL CHAMBER - SECOND FLOOR - CITY HALL**  
**901 BAGBY - HOUSTON, TEXAS**  
with notes of action taken

**MOTIONS 2005-1040 to 2005-1079**  
**ORDINANCES – 2005-1200 to 2005-1238**  
**RESOLUTION – 2005-0021**

**2005-1039-1**

DESCRIPTIONS OR CAPTIONS OF AGENDA ITEMS WILL BE READ BY THE  
CITY SECRETARY PRIOR TO COMMENCEMENT

**PRAYER AND PLEDGE OF ALLEGIANCE** - Council Member Alvarado

**9:00 A. M. - ROLL CALL**

**ADOPT MINUTES OF PREVIOUS MEETING**

**9:30 A. M. - PUBLIC SPEAKERS** - Pursuant to City Council Rule 8, City Council will hear from members of the public; the names and subject matters of persons who had requested to speak at the time of posting of this Agenda are attached; the names and subject matters of persons who subsequently request to speak may be obtained in the City Secretary's Office

**Motions 2005-1045 to 2005-1046a – Procedural motions**

**MAYOR'S REPORT**

**Motion 2005-1040 – Accept reports**

**REPORT FROM CITY CONTROLLER AND THE CITY ADMINISTRATION REGARDING THE CURRENT FINANCIAL STATUS OF THE CITY** including but not limited to, a revenue, expenditure and encumbrance report for the General Fund, all special revenue funds and all enterprise funds, and a report on the status of bond funds and a Quarterly Investment Report by the City Controller

**CONSENT AGENDA NUMBERS 1 through 71**

**MISCELLANEOUS** - NUMBERS 1 through 6-1

**Motion 2005-1041 – Suspend rules to consider Items 1, 2 and 3 out of order**

**1. Motion 2005-1042**

REQUEST from Mayor for confirmation of the reappointment of **MR. WILLIAM F. BURGE, III**, as Chair, to the **HARRIS COUNTY-HOUSTON SPORTS AUTHORITY BOARD OF DIRECTORS**, for a two-year term

**2. Motion 2005-1043**

REQUEST from Mayor for confirmation of the appointment of **RHEA BROWN LAWSON, PhD**, as Director of the **HOUSTON PUBLIC LIBRARY SYSTEM**

**MISCELLANEOUS** - continued

**3. Motion 2005-1044**

REQUEST from Mayor for confirmation of the appointment or reappointment of the following as **Part-Time Municipal Court Judges** for two year terms:

<b>JOEL SALAZAR</b> , appointment	<b>MEG A. OSWALD</b> , appointment
<b>WALTER SCHROEDER</b> , reappointment	<b>JOELLEN SNOW</b> , reappointment
<b>SCOTT K. BOATES</b> , appointment	<b>NIKITA V. HARMON</b> , reappointment
<b>SHERILYN DAVIS EDWARDS</b> , appointment	<b>THOMAS M. WHITWORTH</b> , reappointment
<b>MARGARET MUNOZ-HARKINS</b> , reappointment	<b>ARTURO D. DELEON, JR.</b> , appointment
<b>FAD WILSON, JR.</b> , appointment	<b>BURHAN NOMANI</b> , appointment
<b>YVONNE Q. TAYLOR</b> , reappointment	<b>STEPHEN L. HONORE'</b> , appointment
<b>ANDREW D. MARTIN</b> , appointment	<b>TRI NGUYEN</b> , appointment
<b>JAY D. HIRSCH</b> , reappointment	<b>YOLANDA DANIEL COROY</b> , appointment
<b>ANN C. ELLIS</b> , reappointment	<b>JOSEFINA M. RENDON</b> , reappointment
<b>URSULA A. HALL</b> , appointment	<b>LYDIA JOHNSON</b> , reappointment
<b>JOHN CHASE, JR.</b> , reappointment	<b>ANA OTERO</b> , reappointment
<b>SHERRY APPLEWHITE</b> , reappointment	<b>WILLIAM A. ALLEN</b> , reappointment
<b>GARY B. MADDOX</b> , reappointment	<b>MIN UN LEE</b> , reappointment
<b>OSWALD J. SCOTT, JR.</b> , reappointment	<b>APRIL JILL WALKER</b> , reappointment
<b>JO NELSON</b> , reappointment	<b>AMPARO MONIQUE YAÑEZ</b> , appointment
<b>ROBERT V. ROSENBERG</b> , appointment	<b>LUIS A. VALLEJO</b> , appointment
<b>RAUL RODRIGUEZ</b> , appointment	<b>HOWARD L. SPEIGHT</b> , appointment

**4. Motion 2005-1047**

RECOMMENDATION from Director Department of Public Works & Engineering for payment of \$34,075.00 amended permit fee to the **HARRIS-GALVESTON COASTAL SUBSIDENCE DISTRICT** for Braeswood #1 (Area 2) Groundwater Withdrawal Fee - Enterprise Fund

**5. Motion 2005-1048**

RECOMMENDATION from Director Department of Public Works & Engineering for payment of invoice in the amount of \$28,692.00 from the **NATIONAL ASSOCIATION OF CLEAN WATER AGENCIES (NACWA)** for 2006 Membership Dues - Enterprise Fund

**Motions 2005-1049 to 2005-1052 – Motions to consider Items 46, 47, 64, 6, 27, 27a, 52, 61, 63, 30, 51 and 51a out of order**

**6. Motion 2005-1068**

RECOMMENDATION from Director Planning & Development Department for approval for Fiscal Year 2006 Budgets for Main Street Market Square Redevelopment Authority (TIRZ No. 3), Old Spanish Trail / Alameda Corridors Redevelopment Authority (TIRZ #7), Greater Greenspoint Redevelopment Authority (TIRZ #11), Uptown Development Authority (TIRZ #16), Memorial City Redevelopment Authority (TIRZ #17) and Upper Kirby Redevelopment Authority (TIRZ #19) **DISTRICTS A - LAWRENCE; B - GALLOWAY; C - GOLDBERG; D - EDWARDS; E - WISEMAN; F - KHAN; G - HOLM and I - ALVARADO**

**6-1 Council Member Wiseman tagged**

RECOMMENDATION from City Attorney for allocation of an additional \$200,000.00 to contract with **BAKER BOTTS, LLP**, for Litigation Support Services - Police Special Services Fund

**DAMAGES** - NUMBER 7

**7. Motion 2005-1053**

RECOMMENDATION from City Attorney for settlement of lawsuit styled **FRANCISCA RUIZ et al** v. The City of Houston, Texas; in the 129th Judicial District Court of Harris County, Texas; Cause No. 2000-52066 - \$50,000.00 - Property and Casualty Fund

**ACCEPT WORK** - NUMBERS 8 through 12

**8. Motion 2005-1054**

RECOMMENDATION from Director Houston Airport System for approval of final contract amount of \$19,194,838.73 and acceptance of work on contract with **W. W. WEBBER, INC formerly known as CHAMPAGNE-WEBBER, INC, TEXAS** for Rehabilitation of Taxiways "SA" & "SB" at George Bush Intercontinental Airport/Houston; Project No. 549, CIP A-0369 and A-0401 - 01.78% over the original contract amount - **DISTRICT B - GALLOWAY**

**9. Motion 2005-1055**

RECOMMENDATION from Director Houston Airport System for approval of final contract amount of \$32,422,953.12 and acceptance of work on contract with **W. W. WEBBER, INC** for Rehabilitation of Runway 8R-26L at George Bush Intercontinental Airport/Houston; Project No. 491B, CIP A-0263 - 04.65% over the original contract amount - **DISTRICT B - GALLOWAY**

**10. Motion 2005-1056**

RECOMMENDATION from Director Building Services Department for approval of final contract amount of \$1,349,073.02 awarded to **RTG BUILDING COMPANY** and acceptance of work by final payment to the Surety, **CONTINENTAL CASUALTY COMPANY** for Renovation of Kashmere Gardens Branch Library, GFS E-0056-01-3 - 04.02% over the original contract amount **DISTRICT B - GALLOWAY**

**11. Motion 2005-1057**

RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$584,498.44 and acceptance of work on contract with **BILL MCDONALD CONSTRUCTION, INC** for Safe Sidewalk Program, GFS N-0610A-08-3 (SB9008-02) - 18.37% under the original contract amount - **DISTRICT I - ALVARADO**

**12. Motion 2005-1058**

RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$1,858,551.74 and acceptance of work on contract with **JALCO, INC** for Gulf Freeway No. 2 Lift Station and Force Main Improvements, GFS R-2011-33-3 (4841-1) 03.77% under the original contract amount - **DISTRICT I - ALVARADO**

**PROPERTY** - NUMBER 13

**13. Motion 2005-1059**

RECOMMENDATION from Director Department of Public Works & Engineering, reviewed and approved by the Joint Referral Committee, on request from Mary Lou Henry of Vernon G. Henry and Associates, Inc., on behalf of Emuna Enterprises, L. P. (Rudi Yersohalmi, general partner) for abandonment and sale of a portion of two 5-foot-wide utility easements, located within Lots 16 and 19, Block 19, in exchange for the conveyance to the City of a 10-foot-wide sanitary sewer easement, all within Main Street Plaza Subdivision, Parcels SY6-023A, SY6-023B and DY6-011 - **STAFF APPRAISERS - DISTRICT C - GOLDBERG**

**PURCHASING AND TABULATION OF BIDS** - NUMBERS 14 through 24

**14. Motion 2005-1060**

**BROADCAST TECHNICAL SERVICES, INC** for Telex ADAM System Parts for Office of Emergency Management - \$149,052.00 - Grant Fund

**15. Motion 2005-1061**

**BL TECHNOLOGY, INC** for Security Access Control System Upgrades/Enhancements at Houston Police Department Headquarters for Building Services Department - \$69,987.00 - Grant Fund

**16. Motion 2005-1062**

**PARALLAX BUILDERS, INC** for Structural Rehab of Fire Station No. 75 for Building Services Department - \$285,990.00 and contingencies for a total amount not to exceed \$300,289.50 - Fire Department Revolving Fund

**17. Ordinance 2005-1220**

ORDINANCE appropriating \$60,000.00 out of General Improvements Consolidated Construction Fund for Emergency Mold Remediation Services at Fire Stations 33 and 83 for the Building Services Department, CIP D-0073

**a. Motion 2005-1069**

**AAR, INCORPORATED** for spending authority to address the Emergency purchase of Mold Remediation Services at Fire Station Nos. 83 and 33 for Building Services Department ~~\$60,000.00~~ \$30,000.00

**18. Motion 2005-1063**

**PRO ALLIANCE** for Perennial Rye Grass Seed for Parks & Recreation Department - \$51,627.25 General and Parks Special Revenue Funds

**19. Ordinance 2005-1200**

ORDINANCE appropriating \$398,750.00 out of Water & Sewer System Consolidated Construction Fund for spending authority to Address the Emergency Repair of the 18-inch Force Main at the Park Ten Wastewater Treatment Plant for the Public Works & Engineering Department, CIP R-0266

**a. Motion 2005-1064**

**UNDERGROUND TECHNOLOGIES, INC** for spending authority to address the Emergency Repair of the 18-inch Force Main at the Park Ten Wastewater Treatment Plant for the Department of Public Works & Engineering - \$398,750.00

**20. Ordinance 2005-1221**

ORDINANCE appropriating \$96,792.90 out of Water & Sewer System Consolidated Construction Fund to approve payment for the Emergency Repair of the 36-inch Sanitary Sewer Line Crossing White Oak Bayou at the North Main Bridge for the Public Works & Engineering Department, CIP R-0266

**a. Motion 2005-1070**

**BOYER, INC** for Emergency Repair of the 36-inch Sanitary Sewer Line Crossing White Oak Bayou at the North Main Street Bridge for the Department of Public Works & Engineering - \$96,792.90

**21. Motion 2005-1065**

**AMEND MOTION #2003-1355, 11/12/03, TO INCREASE** spending authority from \$772,651.00 to \$965,813.75, for Plumbing Supplies for Various Departments, awarded to **CITY SUPPLY CO., INC** - Enterprise Fund

**PURCHASING AND TABULATION OF BIDS** - continued

**22. Motion 2005-1066**

**BROOKSIDE EQUIPMENT SALES, INC** - \$136,184.00 and **RUSH EQUIPMENT CENTER, HOUSTON** - \$437,107.00 for John Deere Tractor Replacement Parts and Service for Various Departments - General, Enterprise and Fleet Management Funds

**23. Motion 2005-1071**

**IMPCO, INC** - \$1,160,391.28, **DIVERSIFIED CHEMICAL & SUPPLY, INC** - \$109,166.70, **ZEP MANUFACTURING** - \$151,098.79, **MATERA PAPER CO., LTD.** - \$1,241,167.60 and **BUCKEYE CLEANING CENTER** - \$571,426.13 for Janitorial Supplies Contract for Various Departments \$3,253,250.50 minus a commission fee (the lesser of 2% or \$20,000.00 maximum) for Internet-based reverse auction services for a net award not to exceed \$3,233,250.50 - General and Enterprise Funds

**24. Motion 2005-1067**

**BUCKEYE CLEANING CENTER** - \$198,687.47 and **IMPCO, INC** - \$48,376.72 for Floor Maintenance Equipment for Various Departments - \$252,106.32 minus a commission fee (2% for Internet-based reverse auction services) for a net award not to exceed \$247,064.19 - General and Enterprise Funds

**RESOLUTIONS AND ORDINANCES** - NUMBERS 25 through 71

**25. Resolution 2005-0021**

RESOLUTION appointing **GARY W. STEIN** to serve as the City's Representative on the **BOARD OF DIRECTORS OF THE HARRIS COUNTY APPRAISAL DISTRICT** for a two-year term commencing on January 1, 2006 and ending on December 31, 2007

**26. Ordinance 2005-1222**

ORDINANCE **AMENDING SECTION 18-21 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, relating to the form of Financial Disclosure Statements to be filed

**Motion by Council Member Sekula-Gibbs to amend Item 27 as follows:**

"The SafeClear Program shall be open to all wrecker service operators who can demonstrate the ability to provide the services and comply with the requirements required under the agreements, whether operating alone or as a partnership or joint venture." –  
**Tagged by Council Members Alvarado, Wiseman and Khan**

**27. Council Members Wiseman and Sekula-Gibbs tagged**

ORDINANCE **AMENDING CHAPTER 8 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, relating to Towing of Vehicles from freeways, containing findings and other provisions relating to the foregoing subject; providing an effective date; providing for severability

**a. Council Members Wiseman and Sekula-Gibbs tagged**

ORDINANCE approving and authorizing third amended and restated SafeClear Freeway Tow Agreements with Towing Company Operators and authorizing the Chief of Police to enter into contracts between the City of Houston and **ALLIED COLLISION CENTER, CANNINO WEST, INC, CORPORATE AUTO SERVICES, INC, FIESTA WRECKER SERVICE, KTL ENTERPRISES, INC, MILAM STREET AUTO STORAGE, INC, NATIONAL AUTO COLLISION, INC, NORTH HOUSTON MOTORS, INC, T&T MOTORS, UNIFIED AUTO WORKS** and **WESTSIDE WRECKER SERVICE, INC**, for SafeClear Freeway Towing and Emergency Road Service

**RESOLUTIONS AND ORDINANCES** - continued

**28. Ordinance 2005-1201**

ORDINANCE finding and determining that public convenience and necessity no longer require the continued use of a portion of Tierwester Street, from the Southern Pacific Railroad right of way at Holmes Road north 225 linear feet, more or less, consisting of two parcels of land, Parcels SY4-016 and SY4-024, containing 7,507 square feet and 7,215 square feet, more or less, respectively, vacating and abandoning said parcels to Piping Technology & Products, Inc., the abutting owner, in consideration of its dedication back to the city of said parcels as water line easements, designated Parcels KY5-127 and KY5-128, containing 7,507 square feet and 7,215 square feet, more or less, respectively; all four parcels being out of the B. H. Freeling Survey, Abstract 270, Houston, Harris County, Texas; and the payment of \$11,400.00 and other consideration to the City - **DISTRICT D - EDWARDS**

**29. Ordinance 2005-1223**

ORDINANCE approving and authorizing purchase and sale agreement between the **HOUSTON COMMUNITY COLLEGE SYSTEM**, as Purchaser, and the City of Houston, as seller, for the Sale of a tract of land containing 10.5467 acres, more or less, being out of the S. M. Williams Survey, A-87, Harris County, Texas (being known as the former Milby Bus Barn Facility; located at 310 N. Milby) in consideration for the payment of \$1,300,000.00 to be paid at closing by Houston Community College System - **DISTRICT H - GARCIA**

**30. Council Member Khan tagged**

ORDINANCE altering maximum prima facie speed limits in certain school zones in the City of Houston; making various findings and containing other provisions relating to the subject; declaring certain conduct to be unlawful and providing a penalty; providing for severability; containing a repealer; containing a savings clause

**31. Ordinance 2005-1202**

ORDINANCE consenting to the addition of 8.8994 acres of land to **BRIDGESTONE MUNICIPAL UTILITY DISTRICT**, for inclusion in its district

**32. Ordinance 2005-1203**

ORDINANCE consenting to the addition of 20.309 acres of land to **CLEAR BROOK CITY MUNICIPAL UTILITY DISTRICT**, for inclusion in its district

**33. Ordinance 2005-1204**

ORDINANCE consenting to the addition of 19.985 acres of land to **FOREST HILLS MUNICIPAL UTILITY DISTRICT**, for inclusion in its district

**34. Ordinance 2005-1205**

ORDINANCE consenting to the addition of 156.63 acres of land to **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 71**, for inclusion in its district

**35. Ordinance 2005-1206**

ORDINANCE consenting to the addition of 1,108.634 acres of land to **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 165**, for inclusion in its district

**36. Ordinance 2005-1207**

ORDINANCE consenting to the addition of 172.142 acres of land to **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 167 OF HARRIS COUNTY, TEXAS**, for inclusion in its district

**RESOLUTIONS AND ORDINANCES** - continued

**37. Ordinance 2005-1208**

ORDINANCE consenting to the addition of 22.542 acres of land to **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 371**, for inclusion in its district

**38. Ordinance 2005-1209**

ORDINANCE consenting to the addition of 9.9744 acres of land to **MALCOMSON ROAD UTILITY DISTRICT**, for inclusion in its district

**39. Ordinance 2005-1210**

ORDINANCE consenting to the addition of 4.2627 acres of land to **MONTGOMERY COUNTY MUNICIPAL UTILITY DISTRICT NO. 19**, for inclusion in its district

**40. Council Member Goldberg tagged**

ORDINANCE appropriating \$177,496.73 out of Street & Bridge Consolidated Construction Fund as an additional appropriation for Construction of Light Rail Transit System along Main Street and Fannin Street between Reliant Park and Downtown Houston, (N-0650-21-3 and N-0671-05-3) (SB9253), under construction contract with **METROPOLITAN TRANSIT AUTHORITY OF HARRIS COUNTY, TEXAS** (approved by Ordinance No. 00-1028); providing funding for contingencies relating to construction of facilities financed by the Street & Bridge Consolidated Construction Fund - **DISTRICTS C - GOLDBERG; D - EDWARDS and I - ALVARADO**

**41. Pulled-Not Considered**

ORDINANCE appropriating \$77,483.70 out of Water & Sewer System Consolidated Construction Fund as an additional appropriation for Utility Design under the Downtown/Midtown Transit Street Program for Preston Street from Smith Street to Chenevert Street (S-0521-22-3 and R-0521-19-3) under Transportation Improvement Agreement with the Metropolitan Transit Authority of Harris County (approved by Ordinance No. 93-274); providing funding for contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund **DISTRICT I - ALVARADO**

**42. Ordinance 2005-1224**

ORDINANCE approving and authorizing contract between the City and **EL CENTRO DE CORAZON** for Primary Care and Pediatrics at the Magnolia Health Center; providing a maximum contract amount - 3 Years - \$300,000.00 - General Fund - **DISTRICT I - ALVARADO**

**43. Not Received-Not Considered**

ORDINANCE approving and authorizing interlocal agreement between the City and the **HARRIS COUNTY HOSPITAL DISTRICT** to Facilitate Continuity of Care and Optimize Health Services at La Nueva Casa De Amigos Health Center; providing a maximum contract amount - 5 Years \$1,000,000.00 - General Fund - **DISTRICT H - GARCIA**

**44. Ordinance 2005-1225**

ORDINANCE amending Ordinance No. 1997-0544 to increase the maximum contract amount; approving and authorizing second amendment to contract between the City and **HLP, INC** for Software Product License and Product Support Service for Health & Human Services Department (#C35926) - \$124,800.00 - General Fund

**RESOLUTIONS AND ORDINANCES** - continued

**45. Ordinance 2005-1226**

ORDINANCE increasing the maximum contract amounts in Ordinance Numbers 2003-1052, 2002-0848 and 2003-0849 for contracts between the City of Houston and the **CITY OF SOUTH HOUSTON, THE UNIVERSITY OF TEXAS HEALTH SCIENCE CENTER AT HOUSTON, INTERFAITH CAREPARTNERS, INC** and **PERRYLEE HOME HEALTH CARE SERVICES, INC** for Services provided through the Harris County Area Agency on Aging - \$1,198,581.00 - Grant Fund

**46. Council Member Edwards tagged**

ORDINANCE approving and authorizing contract between the City of Houston and **HEALTHCARE FOR THE HOMELESS-HOUSTON** to provide \$120,000.00 in Community Development Block Grant Funds for the Administration and Operation of Project Access, which offers Transportation Services to Homeless Individuals and Families seeking Health Care and Supportive Services

**47. Ordinance 2005-1218**

ORDINANCE approving and authorizing agreement between the City of Houston and **NHH-CANAL STREET APARTMENTS, INC**, a Community Housing Development Organization ("CHDO"), to provide \$50,000.00 in Home Investment Partnerships Funds for Operating Expenses associated with building the CHDO'S Capacity to Develop Affordable Housing **DISTRICT H - GARCIA**

**48. Omitted**

**49. Ordinance 2005-1227**

ORDINANCE approving and authorizing the submission of an application for grant assistance to the **BUREAU OF JUSTICE ASSISTANCE** for the 2005 Bulletproof Vest Partnership Grant Program; declaring the City's eligibility for such grant; authorizing the Mayor to act as the City's representative in the application process; authorizing the Chief of the Houston Police Department to accept grant funds and to apply for and accept all subsequent awards, if any, pertaining to the program

**50. Ordinance 2005-1228**

ORDINANCE approving and authorizing Cooperative Agreement between the City of Houston and **THE NATIONAL INSTITUTE OF JUSTICE (NIJ)** for Participation in the DNA Capacity Enhancement Program Grant

**51. Council Member Khan tagged**

ORDINANCE approving and adopting an Updated Ongoing Service and Assessment Plan for and on behalf of the Sharpstown Public Improvement District covering the period 2006 through 2010 pursuant to Chapter 372 of the Texas Local Government Code

**a. Council Member Khan tagged**

ORDINANCE approving the Fiscal Year 2006 Budget for the Sharpstown Economic Development Authority on behalf of the Sharpstown Public Improvement District pursuant to Ordinance No. 2002-1077; appropriating \$324,000.00 out of Fund 928 (Sharpstown Public Improvement District Fund) for payment to the Sharpstown Economic Development Authority for expenditures consistent therewith - **DISTRICT F - KHAN**

**52. Ordinance 2005-1219**

ORDINANCE approving and authorizing agreement between the City of Houston and **CLAYTON LIBRARY FRIENDS** for the Repair and Renovation of the Clayton Family Buildings - **DISTRICT D - EDWARDS**



**RESOLUTIONS AND ORDINANCES** - continued

**53. Ordinance 2005-1229**

ORDINANCE approving and authorizing second amendment to contract between the City and **DELOITTE CONSULTING L.L.P.** for Case Management System Project Services - \$150,000.00 Court Technology and Other Funds

**54. Ordinance 2005-1230**

ORDINANCE awarding contract to **WESTERN HORTICULTURAL SERVICES, INC** for Landscape and Horticultural Services for the Houston Airport System; providing a maximum contract amount - 1 Year with four one-year options - \$7,000,683.24 - Enterprise Fund

**55. Council Member Green tagged**

ORDINANCE awarding contract to **ARAMARK CORRECTIONAL SERVICES, INC** for Jail Food Services for Police Department; providing a maximum contract amount - 3 Years with two one-year options - \$3,239,075.00 - General Fund

**56. Ordinance 2005-1211**

ORDINANCE awarding contract to **DUNBAR ARMORED, INC** for Armored Car Services for Various Departments; providing a maximum contract amount - 1 Year with four one-year options \$718,975.80 - General, Enterprise, Park Special Revenue and Building Inspection Funds

**57. Ordinance 2005-1212**

ORDINANCE appropriating \$200,000.00 out of Airports Improvement Fund and approving and authorizing contract for Miscellaneous Professional Engineering Testing Laboratory Services between the City of Houston and **AVILES ENGINEERING CORPORATION**; Project No. 615G, CIP A-0138 - **DISTRICTS B - GALLOWAY; E - WISEMAN and I - ALVARADO**

**58. Ordinance 2005-1231**

ORDINANCE appropriating \$187,000.00 out of General Improvements Consolidated Construction Fund and \$52,000.00 out of Public Health Consolidated Construction Fund as an additional appropriation for Professional Architectural Services Contract with **WHR ARCHITECTS, INC (F/K/A WATKINS HAMILTON ROSS ARCHITECTS, INC)** for Southwest Multi-Service Center (approved by Ordinance No. 01-0580), GFS D-0072-02-2 - **DISTRICT F - KHAN**

**59. Not Received-Not Considered**

ORDINANCE approving and authorizing Project Management Services Agreement between the City of Houston and **HOWELL MIMS ASSOCIATES, L.L.C.**; providing a maximum contract amount - 1 year - \$100,000.00 - Building Inspection and CDBG Funds

**60. Ordinance 2005-1213**

ORDINANCE appropriating \$23,000.00 out of Water & Sewer System Consolidated Construction Fund as an additional appropriation for the Professional Engineering Services Contract with **PTI, INC** (approved by Ordinance No. 04-0661), GFS S-0936-08-2 (WA10813) - **DISTRICTS A - LAWRENCE; B - GALLOWAY; F - KHAN and G - HOLM**

**61. Council Member Sekula-Gibbs tagged**

ORDINANCE awarding construction contract to **APACHE SERVICES, INC** for Construction of the New Shape Community Center, GFS Y-P013-02-3; setting a deadline for the bidder's insurance and other required contract documents to the City; holding the bidder in default if it fails to meet the deadlines; providing funding for engineering construction testing, project management and air monitoring during abatement, construction management and contingencies relating to construction of facilities financed by Community Development Block Grant Funds - \$909,500.00 **DISTRICT I - ALVARADO**

**RESOLUTIONS AND ORDINANCES** - continued

**62. Ordinance 2005-1214**

ORDINANCE appropriating \$700,000.00 out of Public Health Consolidated Construction Fund, \$700,000.00 out of General Improvements Consolidated Construction Fund, and \$300,000.00 out of Parks Consolidated Construction Fund; awarding Job Order Construction Contract to **WILLIAMS & THOMAS INC, dba JAMAIL CONSTRUCTION**, GFS D-0108-01-3, H-0069-01-3 and F-0585-01-3; providing a maximum contract amount; providing funding for construction and Civic Art relating to construction of facilities financed by the funds referenced above

**63. Ordinance 2005-1215**

ORDINANCE appropriating \$84,835.80 out of Water & Sewer System Consolidated Construction Fund and approving and authorizing Developer Participation Contract between the City of Houston and **TEXAS SOUTHERN UNIVERSITY** for Construction of Water Lines to serve development on Wheeler Avenue, CIP S-0802-33-3 - **DISTRICT D - EDWARDS**

**64. Ordinance 2005-1216**

ORDINANCE approving and authorizing construction contract between the City of Houston and **TROY CONSTRUCTION, L.L.P.** for Water Distribution System Rehabilitation and Renewal (WA10873)

**65. Ordinance 2005-1232**

ORDINANCE appropriating \$5,322,862.00 out of Water & Sewer System Consolidated Construction Fund, awarding contract to **PM CONSTRUCTION & REHAB., L.P.** for Sanitary Sewer Rehabilitation by Sliplining and Pipe Bursting Method, GFS R-0294-09-3 (WW4257-70); setting a deadline for the bidder's execution of the contract and delivery of all bonds, insurance, and other required contract documents to the City; holding the bidder in default if it fails to meet the deadlines; providing funding for engineering and testing, construction management, and contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund - **DISTRICTS D - EDWARDS; E - WISEMAN; H - GARCIA and I - ALVARADO**

**66. Ordinance 2005-1233**

ORDINANCE appropriating \$4,759,807.00 out of Water & Sewer System Consolidated Construction Fund, awarding contract to **PM CONSTRUCTION & REHAB., L.P.** for Sanitary Sewer Rehabilitation by Sliplining and Pipe Bursting Method, GFS R-0266-E7-3 (WW4257-67); setting a deadline for the bidder's execution of the contract and delivery of all bonds, insurance, and other required contract documents to the City; holding the bidder in default if it fails to meet the deadlines; providing funding for engineering and testing, construction management, and contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund

**67. Ordinance 2005-1234**

ORDINANCE appropriating \$3,795,711.00 out of Water & Sewer System Consolidated Construction Fund, awarding contract to **PM CONSTRUCTION & REHAB., L.P.** for Sanitary Sewer Rehabilitation by Sliplining and Pipe Bursting Method, GFS R-0295-08-3 (WW4257-72); setting a deadline for the bidder's execution of the contract and delivery of all bonds, insurance, and other required contract documents to the City; holding the bidder in default if it fails to meet the deadlines; providing funding for engineering and testing, construction management, and contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund

**RESOLUTIONS AND ORDINANCES** - continued

**68. Ordinance 2005-1217**

ORDINANCE awarding construction contract to **B & D CONSTRUCTION COMPANY, INC** for Construction of Water, Sanitary Sewer and Storm Drainage Systems Serving Section One of the Southridge Crossing Subdivision; approving and authorizing assignment of the construction contract to **GARC ENTERPRISES, LTD.**, CIP S-0800-G7-3 and R-0800-G7-3 (DPC-087) **DISTRICT E - WISEMAN**

**69. Ordinance 2005-1181 – Passed second reading**

ORDINANCE No. 2005-1181, passed first reading October 26, 2005

ORDINANCE granting to **DISCOUNT WASTE**, a Texas Sole Proprietorship, the right, privilege and franchise to Collect, Haul and Transport Solid Waste and Industrial Waste from Commercial properties located within the City of Houston, Texas, pursuant to Chapter 39, Code of Ordinances, Houston, Texas - **SECOND READING**

**70. Ordinance 2005-1197 – Passed second reading**

ORDINANCE No. 2005-1197, passed first reading October 26, 2005

ORDINANCE granting to **J. D. MANUFACTURING, INC dba ARROW WASTE**, a Texas Corporation, the right, privilege and franchise to Collect, Haul and Transport Solid Waste and Industrial Waste from Commercial properties located within the City of Houston, Texas, pursuant to Chapter 39, Code of Ordinances, Houston, Texas - **SECOND READING**

**71. Ordinance 2005-1198 – Passed second reading**

ORDINANCE No. 2005-1198, passed first reading October 26, 2005

ORDINANCE granting to **DINA INDUSTRIES, INC**, a Texas Corporation, the right, privilege and franchise to Collect, Haul and Transport Solid Waste and Industrial Waste from Commercial properties located within the City of Houston, Texas, pursuant to Chapter 39, Code of Ordinances, Houston, Texas - **SECOND READING**

**END OF CONSENT AGENDA**

**CONSIDERATION OF MATTERS REMOVED FROM THE CONSENT AGENDA**

**NON CONSENT AGENDA** - NUMBER 72

**PROPERTY**

**72. Council Member Alvarado tagged**

RECOMMENDATION from Director Department of Public Works & Engineering, reviewed and approved by the Joint Referral Committee, on request from Kerry A. Gilbert and Christy B. Smidt of Kerry R. Gilbert & Associates, on behalf of EAB Family Partnership, LTD (Gene Burrus, general partner), for abandonment and sale of Signet Street, from Daugherty Street to Dorsett Street, in exchange for the conveyance to the City of a full-width storm sewer easement, located within Port Houston, North Side Buffalo Bayou, Parcels SY5-071, SY6-002, LY6-001 and LY6-002 - **APPOINT TWO INDEPENDENT APPRAISERS and ONE ALTERNATE APPRAISER - DISTRICT I - ALVARADO**

**MATTERS HELD** - NUMBERS 73 through 84

**73. Motion 2005-1072 – Refer back to the Administration for revised Ordinance**

ORDINANCE terminating **REINVESTMENT ZONE NUMBER TWENTY-ONE, CITY OF HOUSTON, TEXAS (HARDY/NEAR NORTHSIDE TIRZ)**; containing findings and provisions related to the foregoing subject; providing a severability clause - **DISTRICT H - GARCIA**  
**POSTPONED BY MOTION 2005-963, 10/5/05**

This was Item 22 on Agenda of October 5, 2005

**74. Motion 2005-1073 – Adopt**

MOTION by Council Member Khan/Seconded by Council Member Alvarado to adopt recommendation from Director Department of Public Works & Engineering for approval of final contract amount of \$5,947,737.39 and acceptance of work on contract with **CONTRACTOR TECHNOLOGY, INC** for Mesa Drive Reconstruction - Contract "A", GFS N-0680-01-3 (N-0680-01) - 02.54% over the original contract amount - **DISTRICT B - GALLOWAY**

**POSTPONED BY MOTION #2005-1008, 10/19/05**

This was Item 39 on Agenda of October 19, 2005

**75. Motion 2005-1074 – Postpone two (2) weeks**

MOTION by Council Member Khan/Seconded by Council Member Alvarado to adopt recommendation from Director Finance & Administration Department for renewal of membership in the **NATIONAL LEAGUE OF CITIES** - \$35,787.00 - General Fund

**TAGGED BY COUNCIL MEMBERS GOLDBERG, LAWRENCE and SEKULA-GIBBS**

This was Item 4 on Agenda of October 26, 2005

**76. Motion 2005-1075 – Adopt**

MOTION by Council Member Khan/Seconded by Council Member Alvarado to adopt recommendation from Director Solid Waste Management Department for additional funding in the amount of \$600,000.00 for Solid Waste Disposal on contract with **WASTE MANAGEMENT, INC** General Fund - **TAGGED BY COUNCIL MEMBERS WISEMAN and ELLIS**

This was Item 7 on Agenda of October 26, 2005

**77. Motion 2005-1076 – Adopt**

MOTION by Council Member Khan/Seconded by Council Member Quan to adopt recommendation from City Attorney for settlement of lawsuit styled **DONIEL WATTS v. City of Houston**; in the 234th Judicial District Court of Harris County, Texas; Cause No. 2004-45662 \$90,000.00 - Property and Casualty Fund - **TAGGED BY COUNCIL MEMBER GOLDBERG**

This was Item 8 on Agenda of October 26, 2005

**78. Motion 2005-1077 – Adopt**

MOTION by Council Member Khan/Seconded by Council Member Quan to adopt recommendation from Director Finance & Administration to award to **RAYTHEON COMPANY** for Intelligence Integration System from the General Services Administration Schedule 70 Contract through the Cooperative Purchasing Program for Police Department - \$1,199,928.00 - Grant Fund - **TAGGED BY COUNCIL MEMBER GARCIA**

This was Item 14 on Agenda of October 26, 2005

**79. Motion 2005-1078 – Adopt**

RECOMMENDATION from Finance & Administration Department to increase spending authority for the Unisys Master Agreement by \$2,900,704.77 from \$5,914,093.47 to \$8,814,798.24 and to revise the supplemental equipment schedules for Various Departments - General, Grant and Equipment Acquisition Consolidated Funds

**TAGGED BY COUNCIL MEMBERS GREEN, KHAN, GOLDBERG and SEKULA-GIBBS**

This was Item 18 on Agenda of October 26, 2005

**MATTERS HELD** - continued

**80. Motion 2005-1079 – Postpone one (1) week**

ORDINANCE approving and authorizing contract between the City and **SMART CITY NETWORKS, L.P.** for Telecommunications Services at the George R. Brown Convention Center Revenue - **DISTRICT I - ALVARADO** - **TAGGED BY COUNCIL MEMBERS ELLIS and BERRY**

This was Item 32 on Agenda of October 26, 2005

**81. Ordinance 2005-1235**

ORDINANCE approving and authorizing contract between the City and **WORKERS ASSISTANCE PROGRAM, INC** for Prevention Counseling/Partner Elicitation (PCPE) Training Classes; providing a maximum contract amount - \$132,132.00 - Grant Fund

**TAGGED BY COUNCIL MEMBERS QUAN and SEKULA-GIBBS**

This was Item 34 on Agenda of October 26, 2005

**82. Ordinance 2005-1236**

ORDINANCE appropriating \$22,029,497.00 out of Equipment Acquisition Consolidated Fund for Purchase of FY2006 Rolling Stock and other equipment

**TAGGED BY COUNCIL MEMBER QUAN**

This was Item 36 on Agenda of October 26, 2005

**83. Ordinance 2005-1237**

ORDINANCE appropriating \$1,784,082.55 out of Parks Consolidated Construction Fund: awarding construction contract to **THE GONZALEZ GROUP, LLC** for Reveille Park and Sagemont Park Pool Facilities, GFS F-504B-15-3, F-504A-15-3; setting a deadline for the bidder's execution of the contract and delivery of all bonds, insurance and other required contract documents to the City; holding the bidder in default if it fails to meet the deadlines; providing funding for contingencies, engineering testing services, and construction management relating to construction of facilities financed by the Parks Consolidated Construction Fund - **DISTRICTS E - WISEMAN and I - ALVARADO** - **TAGGED BY COUNCIL MEMBER GOLDBERG**

This was Item 39 on Agenda of October 26, 2005

**84. Ordinance 2005-1238**

ORDINANCE appropriating \$14,098,000.00 out of Drainage Improvements Commercial Paper Series F Fund, awarding construction contract to **TOTAL CONTRACTING LIMITED** for Kirby Drive Storm Sewer Project Segment 2 - from Dorrington to Swift, GFS M-0771-02-3 (SM5044-02); setting a deadline for the bidder's execution of the contract and delivery of all bonds, insurance and other required contract documents to the City; holding the bidder in default if it fails to meet the deadlines; providing funding for engineering, testing and contingencies relating to construction of facilities financed by the Drainage Improvements Commercial Paper Series F Fund - **DISTRICT C - GOLDBERG**

**TAGGED BY COUNCIL MEMBERS WISEMAN and GOLDBERG**

This was Item 41 on Agenda of October 26, 2005

**MATTERS TO BE PRESENTED BY COUNCIL MEMBERS** - Council Member Goldberg first

**ALL ORDINANCES ARE TO BE CONSIDERED ON AN EMERGENCY BASIS AND TO BE PASSED ON ONE READING UNLESS OTHERWISE NOTED, ARTICLE VII, SECTION 7, CITY CHARTER**

**NOTE** - WHENEVER ANY AGENDA ITEM, WHETHER OR NOT ON THE CONSENT AGENDA, IS NOT READY FOR COUNCIL ACTION AT THE TIME IT IS REACHED ON THE AGENDA, THAT ITEM SHALL BE PLACED AT THE END OF THE AGENDA FOR ACTION BY COUNCIL WHEN ALL OTHER AGENDA ITEMS HAVE BEEN CONSIDERED

CITY COUNCIL RESERVES THE RIGHT TO TAKE UP AGENDA ITEMS OUT OF THE ORDER IN WHICH THEY ARE POSTED IN THIS AGENDA. ALSO, AN ITEM THAT HAS BEEN TAGGED UNDER CITY COUNCIL RULE 4 (HOUSTON CITY CODE §2-2) OR DELAYED TO ANOTHER DAY MAY BE NEVERTHELESS CONSIDERED LATER AT THE SAME CITY COUNCIL MEETING

**11/09/2005 – Council Member Quan absent on City business**